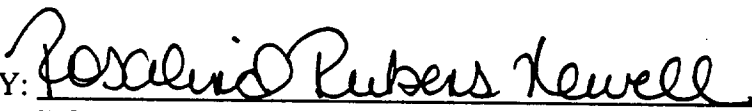Entered - 01/19/01 - sb
CL01L0040 - DIANNE C. MITCHELL

01-*R*-0176

CLAIM OF: **MARK ROBERTS**
            7275 Roswell Road
            #23-515
            Atlanta, Georgia 30328

For damages alleged to have been sustained as a result of the vandalism of his vehicle on December 11, 2000 at Harriet Street and Jonesboro Road.

THIS ADVERSED REPORT IS APPROVED

BY: _Rosalind Rubens Newell_
    ROSALIND RUBENS NEWELL
    DEPUTY CITY ATTORNEY

D-17

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. __01L0040__   Date: ___January 25, 2001___

Claimant /Victim _____ **MARK ROBERTS** _____

BY: (Atty)(Ins. Co.)_____

Address:_____ 7275 Roswell Road, #23-515, Atlanta, Georgia 30328 _____

Subrogation: _____ Claim for Property damage $ __325.00_____ Bodily Injury $ _____

Date of Notice: __12/27/00_____ Method: Written, proper_____X_____ Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 _____X_____ Ante Litem (6 Mo.)___X_____

Date of Occurrence __12/11/00_____ Place: __Harriet Street and Jonesboro Road_____

Department _____ Division:_____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: __The claimant alleges that his vehicle was vandalized while stored on property belonging to A-Tow Wrecker. The City is not responsible for damages that occur on private property.__
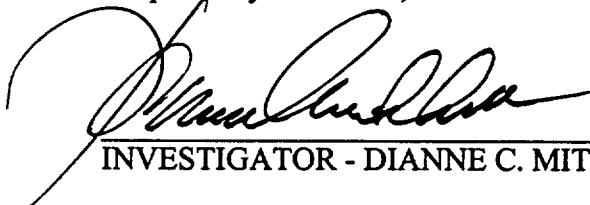
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver_____

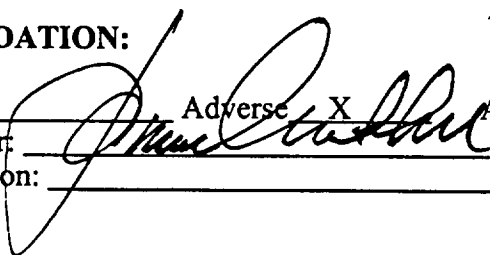Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental_____ Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____X_____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent_____Joint_____ Claim Abandoned _____

Respectfully submitted,

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay $ _____ Adverse __X_____ Account charged: 1A01_____ 2J01_____ 2H01_____

Claims Manager_____Concur/date __01-25-01_____

Committee Action: _____ Council Action _____

FORM 23-61

Council of The City Of Atlanta
Clerk of The Council
City Hall
55 Trinity Ave. S.W.
Atlanta, GA 30335

DEC 27 2000

Mitchell
01/18/01

NK Re: Claim for Damages

Today's Date: *12 - 27 - 2000*

Dear Sir or Madam:

* *Vehicle Stored on A-Tow's Property*
Harriett St / Jonesboro Rd.

This is to notify the City of Atlanta that I have suffered damages in the sum of
$ *325 00* Property and/or $ *-0-* bodily for which I contend the City is
liable.

1. Date of Incident *12-11-2000*   2. Police Called *Complaint form filled out-*
   Month/Day/Year   (Yes)   (No)

3. Location of Incident   *Harriet Street / Joneboro Rd.*   *Deductible*
                                                               (500 00

4. Name of your Insurance Company *Direct General* Policy # *GABD12380 1984*

5. State what and how the incident occurred *While my Mazda 626 was*
stored on the property the In-Dash CD Player was ripped
out. When I came with Release Papers, I noticed the Damage was
Done.

6. **ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE
   MAKING OF FALSE STATEMENTS WILL RESULT IN YOUR CLAIM BEING
   DENIED AND MAY RESULT IN CRIMINAL PROSECUTION.**

7. The registered owner must make the claim for vehicle damages. Complete the following and
   attach two (2) estimates of repair.
   Your Vehicle: *Mazda   626   "95"   614 DPF (Mark Roberts)*
                  (Make)   (Year)   (Tag #)   (Drivers Name)
   City Vehicle: _____
                  (Make)   (Drivers Name)   (Department)
8. Witness: _____
              (Name)   (Address)   (Phone)
9. The acknowledgement of this claim in no way waives the Governmental Immunity of the
   City Of Atlanta, as granted by State Law, nor is it an admission of liability on behalf of the City
   of Atlanta and/or its employees.

   **I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE
   AND CORRECT.** *Mark Roberts* (SEAL)
10. **THIS CLAIM SHOULD BE MAILED**   (Claimant)
    IMMEDIATELY TO THE ADDRESS   *7275 Roswell Rd. 23-515*
    SHOWN ABOVE.   (Address)
                          Atlanta, GA. 30328
                          (City)   (State) (Zip) (Home Phone)   (Bus. Phone)

01- R -0176

 # 770-399-5312
770-587-5229

2 Persons on A-Tow Property Saw the Damage that was done.